

5/19/08 - Monday, May 19, 2008

CITY OF EAU CLAIRE

PLAN COMMISSION MINUTES

Meeting of May 19, 2008

City Hall, Council Chambers

7:00 p.m.

Members Present: Messrs. Buchanan, FitzGerald, Kayser, Pearson, Seymour, Waedt

Staff Present: Messrs. Genskow, Noel, Reiter

The meeting was chaired initially by Mr. Waedt and then by Mr. Kayser.

1. ELECTION OF OFFICERS

Mr. Waedt opened the meeting with elections of new commission officers.

Mr. FitzGerald moved to nominate Mr. Kaiser as the new chair. Mr. Kayser seconded and the motion carried.

Mr. FitzGerald moved to nominate Mr. Kayser as the new vice chair. Mr. Buchanan seconded and the motion carried.

Mr. FitzGerald moved to nominate Mr. Waedt as the new secretary. Mr. Buchanan seconded and the motion carried.

Mr. Kayser, as vice chair, replaced Mr. Waedt chairing the meeting.

2. CONDITIONAL USE PERMIT (CZ-0812) - Duplex in R-2 District, 540 Broadway Street

Ned Noel presented the request to allow conversion of a single-family dwelling to a duplex in a R-2 district at 540 Broadway Street. No exterior changes will be made to the house and interior walls will be configured for the conversion. The project includes a new parking area off the existing driveway to meet the requirement of four stalls. However, the pad is located in the front yard setback and staff recommends it be redesigned to locate along side the existing detached two-car garage. Per code, the applicant must also demonstrate a unique circumstance concerning the proposal because the lot is less than 10,000 sq. ft. in size.

Applicant, Jeff Nehmer, 1225 Lori Circle, Sun Prairie, WI 53590, stated he is willing to redesign the parking pad and thought the house exhibited a unique circumstance because it contained four bedrooms.

Bob Schneider, 603 Lake Street, and president of the Historic Randall Park Neighborhood Association, spoke in favor of the project though the association had not yet met to discuss the project. He also was concerned about snow removal in the area not being completed per City code this past winter.

Commissioners discussed the merits of the proposal demonstrating a unique circumstance. Concern was brought up that the neighborhood association steering committee had not met to discuss the project.

Mr. Waedt moved to postpone the item until the neighborhood meets to discuss the project. Mr. Pearson seconded and the motion carried.

3. CONDITIONAL USE PERMIT (CZ-0813) - Restaurant Expansion, 438 Water Street

Mr. Noel presented the request to allow an outdoor patio dining area for a restaurant/pub in a CBDP district at 438 Water Street. The patio would be built off-site from the Mogie's Pub located at 436 Water Street and, therefore, the conditional use permit needs to run with both properties. A lease between the two property owners covers agreement details. The patio will be accessed from a side door from the pub, be fenced-in and have a security monitoring system.

Applicant, David Donnelly, 6127 Rust Street, spoke in favor of the project.

Mr. FitzGerald moved to approve with the conditions listed in the staff report. Mr. Buchanan seconded and the motion carried.

4. CONDITIONAL USE PERMIT (CZ-0814) - Duplex in R-2 District, 1406 State Street

Mr. Noel presented the request to allow the conversion of single-family dwelling to a duplex in a R-2 District at 1406 State Street. There will be no exterior changes and a number of small interior wall changes to facilitate the conversion. Parking will be sufficient on site with a three-car detached garage, one-car carport and additional potential stalls.

Applicant, Tim Olson, 2727 Pineview Road, spoke in favor of the project.

Duane Severson, 414 Doty Street, asked when the property zoning had changed to R-2.

Mr. FitzGerald moved to approve with the conditions listed in the staff report. Mr. Waedt seconded and the motion carried.

5. CONDITIONAL USE PERMIT (CZ-0815) - Home Occupation & Garage, 4505 Fuller Avenue

Mr. Noel presented requests to allow a home occupation consisting of a garden center and a garage in excess of accessory use standards at 4505 Fuller Avenue. The applicant had a home occupation permit at her previous residence. The attached garage and new detached garage is over the 1,500 sq. ft. The home occupation business will sell vegetables, flowers, plants, and other related garden supplies. A greenhouse and utility shed will be part of the business and the applicant will be the only employee.

Applicant, Betty Holmes, 1709 Black Avenue, spoke in favor of her requests.

Mr. FitzGerald moved to approve with the conditions listed in the staff report. Mr. Buchanan seconded and the motion carried.

6. CONDITIONAL USE PERMIT (CZ-0816) - Garage, 4310 S. Lowes Creek Road

Mr. Noel presented a request to allow a detached garage in excess of accessory use standards at 4310 S. Lowes Creek Road. The project entails adding more square footage

onto an existing detached garage located in the northwest corner of the property. The total square footage of this proposal with the existing detached and attached garage square

footage is over the allowed 1,500 sq. ft. A complaint was received regarding the detached garage and upon inspection, it was observed that a commercial spray-booth was being conducted in the garage. No information was received from the applicant to provide details of this activity and, therefore, staff is asking this request be postponed.

The applicant was not present.

Conner Evans, 1121 E. Lowes Creek Road, read a signed petition of adjacent neighbors who were in opposition to the home business being conducted out of the detached garage. They were not opposed to the garage addition.

Mr. Waedt moved to postpone the item until staff receives the home occupational permit from the applicant. Mr. Pearson seconded and the motion carried.

7. ANNEXATION (08-02A) - Land North of County Line Road, Town of Wheaton

Tom Reiter presented the request to annex 54.4 acres of land from the Town of Wheaton. The parcel is located north of County Line Road and west of Jeffers Road. It is contiguous to City Limits and contains 60 persons living in a multi-family condo development (Aspen Ridge Condominiums).

Applicant, John Schepke, 440 Broadway Street, spoke in favor of the annexation request.

Mr. FitzGerald moved to recommend approval of the annexation. Mr. Buchanan seconded and the motion carried.

8. SITE PLAN (SP-0819) - Dove Healthcare, Transitions South Facility, 3656 Mall Drive

Mr. Noel presented the site plan for Dove Healthcare at 3656 Mall Drive. The institutional use is permitted under C-3P zoning. The site plan indicates a 41,500 sq. ft., 50-room resident rehabilitation facility, along with a 57-stall parking lot. The front entrance circular drop-off driveway has been revised for paratransit and an internal network of sidewalks and courtyards have been proposed.

Applicant, Tim Olson, 2727 Pineview Road, asked the commission if trees could be planted instead of the proposed privacy fence to screen the church to the south and residences to the west.

Mr. FitzGerald moved to approve the site plan with the conditions listed in the staff report and that tree plantings are allowed as screening with the abutting property owners' approval. Mr. Buchanan seconded and the motion carried. Mr. Person abstained.

9. DISCUSSION/DIRECTION

A. Code Compliance Items

Mr. FitzGerald asked staff to look into the small signs that are occurring throughout the City regarding not moving firewood.

B. Future Agenda Items

Mr. Buchanan asked about promoting developments with grid style streets.

Mr. Noel stated the City's Traditional Neighborhood Development district promotes traditional streets/blocks in a grid style fashion; however, private developers have chosen not to utilize the zoning design standards to date.

10. Minutes

Corrections were asked of the May 5, 2008, minutes regarding the commissioners did not take action on the courthouse

expansion project and that the law enforcement parking deck was a separate project.

The minutes of the meeting of May 5, 2008, were approved.

Fred Waedt
Secretary